

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

2016 JAN -7 PM 4: 39

CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXASBY KW
DEPUTY

NEWCSI, INC.,

PLAINTIFF,

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V.

CAUSE NO. A-14-CV-557-LY

STAFFING 360 SOLUTIONS, INC.,
DEFENDANT.**ORDER**

Before the court are Defendant's Motion to Correct Clerical Mistake in Judgment filed December 18, 2015 (Doc. #116) and Plaintiff's Response in Opposition to Defendant's Motion to Correct Clerical Mistake in Judgment filed January 6, 2016 (Doc. #128). Rule 60(a) of the Federal Rules of Civil Procedure allows the court to "correct a clerical mistake or a mistake arising from oversight or omission whenever one is found in a judgment." FED. R. CIV. P. 60(a). Clerical mistakes, inaccuracies of transcription, inadvertent omissions, and errors in mathematical calculation are within Rule 60(a)'s scope. *See Rivera v. PNS Stores, Inc.*, 647 F.3d 188, 194 (5th Cir. 2011).

Having reviewed the motion, response, and the evidence presented in the case, the court concludes that the evidence supports the court's Final Judgment awarding Plaintiff NewCSI, Inc. damages in the amount of \$1,306,576, comprising of an Adjustment Award of \$1,400,000 less \$247,857 previously paid by Defendant Staffing 360 Solution, Inc. to NewCSI, Inc. Therefore, the court finds that the motion should be denied.

IT IS THEREFORE ORDERED that Defendant's Motion to Correct Clerical Mistake in Judgment filed December 18, 2015 (Doc. #116) is **DENIED**.

SIGNED this 7th day of January, 2016.


LEE YEAKEL
UNITED STATES DISTRICT JUDGE